XI-HC-78

(36)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A.C.C./198/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
6	18.09.2006 Smt. Renu Kochar, learned counsel for the appellant. Heard on admission. The appellant has preferred this appeal against the impugned award dated 28.6.2006 passed in Claim Case No. 3/2006 by learned 9th Additional Motor Accident Claims Tribunal (FTC), Durg (C.G.) and by which the claim preferred by respondent No. 2 Shirish Pipla towards compensation for the injuries sustained by him in the accident, has been allowed and a sum of Rs. 77,000/- has been awarded by the learned Tribunal. Learned counsel for the appellant submits that the Tribunal has erred in awarding a sum of Rs. 25,000/- to respondent No. 2 towards pain and suffering and it is excessive. She further submits that the Tribunal has also committed illegality by absolving the Insurance Company as from the recovery memo it would be evident that the driving licence, insurance policy and registration book of the vehicle were seized from the driver/respondent No. 1 Vakil Ahmad and therefore, it is evident that the vehicle was insured at the relevant time. She also submits that the whole amount assessed by the Tribunal is excessive.	

P.T.O.

XI-HC-78

(37)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A.C.C.2.148 **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
1.	I have heard learned counsel for the appellant. From perusal of the award it is found that the accident occurred on 28.4.2003 and the knee of respondent No. 2 was operated upon on 30.4.2003. The injuries sustained by the injured have been found to be established on the basis of X-ray report also. He was advised tests on 1.7.2003 and he was undergoing treatment up to 5.8.2003. The award has been assessed on the basis of above facts and the material available on record. The appellant has not been able to show any perversity in the impugned award. In the result, the appeal being without substance is liable to be dismissed at the admission stage itself and it is accordingly dismissed. In view of the above, M.C.P.No. 1580/06 and I.A.No. 2906/06 stand disposed of. **Sd/-** **Dhirendra Mishra** **Judge**	

P.T.O.

28.07.06